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Signed and Filed: July 14, 2011

A handwritten signature in black ink, appearing to read "T. E. Carlson", is written over a horizontal line.

THOMAS E. CARLSON
U.S. Bankruptcy Judge

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

In re

CARTER'S GROVE, LLC

Debtor,

) Case No. 11-30554

) Chapter 11

) **ORDER GRANTING MOTION TO**
) **TRANSFER VENUE OF CHAPTER 11**
) **CASE AND RELATED ADVERSARY**
) **PROCEEDING TO NEWPORT NEWS,**
) **VIRGINIA**

) Hearing

) Date: July 7, 2011

) Time: 11:00 a.m.

) Place: Courtroom 23

) 235 Pine Street

) San Francisco, CA 94104

1 “The Colonial Williamsburg Foundation's Notice of Motion and Motion to Transfer
2 Venue” (the “Transfer Motion”) came on for continued hearing before the undersigned in his
3 Courtroom 23, 235 Pine Street, San Francisco, California 94104 at 11:00 a.m. on July 7, 2011.
4 Jeffrey C. Krause, a member of Stutman, Treister & Glatt Professional Corporation, appeared on
5 behalf of The Colonial Williamsburg Foundation (“CWF”) in support of the Transfer Motion.
6 Debra I. Grassgreen and John W. Lucas, of Pachulski, Stang, Ziehl & Jones, LLP, appeared on
7 behalf of Carter's Grove, LLC, debtor and debtor in possession in the above-captioned chapter 11
8 case, in opposition to the Transfer Motion. Adam Lewis, Senior Counsel of Morrison & Foerester,
9 appeared on behalf of Sotheby’s, Inc., in opposition to the Transfer Motion. Peter L. Isola, a partner
10 of Davis Wright Tremaine, appeared on behalf of AVN, LLC, in opposition to the Transfer Motion.
11 The Court has considered the pleadings filed in support of and in opposition to the Transfer Motion,
12 the pleadings filed in the above-captioned chapter 11 case and the “Complaint Regarding: (A)
13 Objection to Claims Filed by the Colonial Williamsburg Foundation, (B) Counterclaims for (I)
14 Fraudulent Concealment, (II) Cost Recovery Under CERCLA, and (III) Declaratory Judgment”
15 commencing Adversary Proceeding No. 11-03133 (TEC) (the “Adversary Proceeding”) by the
16 Debtor against CWF, and the arguments of counsel at the hearing; and based on good cause
17 appearing, **NOW, THEREFORE, IT IS**

18 **ORDERED**, that the Transfer Motion is granted; and it is further

19 **ORDERED**, that the above-captioned case under chapter 11 and the Adversary
20 Proceeding commenced by the Debtor against CWF are hereby transferred to the United States
21 Bankruptcy Court for the Eastern District of Virginia, Newport News Division, effective
22 immediately upon entry of this Order.
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COURT SERVICE LIST

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